

NTCAPR, APPEAL

**United States Bankruptcy Court
District of Massachusetts (Worcester)
Bankruptcy Petition #: 23-40709**

Assigned to: Judge Christopher J. Panos
Chapter 7
Involuntary

Date filed: 08/31/2023
341 meeting: 11/15/2023

Debtor

Westborough SPE LLC
231 Turnpike Road
Westborough, MA 01581
WORCESTER-MA
Tax ID / EIN: 94-3286768

represented by **Westborough SPE LLC**
PRO SE

Petitioning Creditor

Nathanson & Goldberg, P.C.
183 State Street, 5th FL
Boston, MA 02109

represented by **Jose C. Centeio**
Nathanson & Goldberg, PC
183 State Street
Boston, MA 02025
617-210-4815
Email: jcc@natgolaw.com

Stephen F. Gordon

The Gordon Law Firm LLP
River Place
57 River Street
Wellesley, MA 02481
(617) 261-0100
Email: sgordon@gordonfirm.com

Scott Adam Schlager

Locke Lord LLP
111 Huntington Avenue
Boston, MA 02199
617-909-4511
Fax : 888-325-9020
Email: scott.schlager@lockelord.com
TERMINATED: 04/15/2024

Petitioning Creditor

The MobileStreet Trust
12 Cole Road
Wayland, MA 01778

Assistant U.S. Trustee

Richard King
Office of US. Trustee
446 Main Street
14th Floor
Worcester, MA 01608

represented by

Trustee

Jonathan R. Goldsmith

Goldsmith, Katz & Argenio, P.C.
1350 Main Street
Suite 1505
Springfield, MA 01103
413-747-0700

Jonathan R. Goldsmith

Goldsmith, Katz & Argenio, P.C.
1350 Main Street
15th Floor
Springfield, MA 01103
(413) 747-0700
Fax : (413) 747-0414
Email: bankrdocs1@gkcalawfirm.com

Filing Date	#	Docket Text
08/31/2023	<u>1</u>	Chapter 7 Involuntary Petition Against a Non-Individual. Fee Amount \$338 Re: Westborough SPE LLC filed by Nathanson & Goldberg, P.C. (attorney Stephen F. Gordon), The MobileStreet Trust (Gordon, Stephen) (Entered: 08/31/2023)
08/31/2023		Receipt of filing fee for Involuntary Petition (Chapter 7)(<u>23-40709</u>) [misc,invol7] (338.00). Receipt Number A20159660, amount \$ 338.00 (re: Doc# <u>1</u>) (U.S. Treasury) (Entered: 08/31/2023)
08/31/2023	<u>2</u>	Notice of Appearance and Request for Notice by Scott Adam Schlager with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. (Schlager, Scott) (Entered: 08/31/2023)
09/01/2023	<u>3</u>	Involuntary Summons Issued on Westborough SPE LLC. (meh, Usbc) (Entered: 09/01/2023)
09/03/2023	<u>4</u>	BNC Certificate of Mailing. (Re: <u>3</u> Involuntary Summons Issued) Notice Date 09/03/2023. (Admin.) (Entered: 09/04/2023)
09/05/2023	<u>5</u>	Motion and Answer to Involuntary Bankruptcy with certificate of service filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/05/2023)
09/05/2023	<u>6</u>	Statement of Corporate Ownership filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/05/2023)
09/05/2023	<u>7</u>	Matrix filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/05/2023)
09/08/2023	<u>8</u>	Schedules A/B, D – H filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/11/2023)
09/08/2023	<u>9</u>	Statement of Financial Affairs for Non-Individual filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/11/2023)
09/11/2023	<u>10</u>	Motion filed by Debtor Westborough SPE LLC to Appoint Interim Trustee with certificate of service. (ab) (Entered: 09/11/2023)
09/11/2023	<u>11</u>	Statement of Taxpayer Identification Number filed by Debtor Westborough SPE LLC . (ab) (Entered: 09/11/2023)
09/11/2023	<u>12</u>	Summons Service Executed in an Involuntary Case on Westborough SPE LLC 9/8/2023, Answer Due 9/29/2023 filed by Petitioning Creditor Nathanson & Goldberg, P.C., Debtor Westborough SPE LLC (Gordon, Stephen) (Entered: 09/11/2023)
09/25/2023	<u>13</u>	Emergency Motion filed by Debtor Westborough SPE LLC To Modify Automatic Stay Re: To Commence Legal Action in California Superior

			Court with certificate of service. Fee Amount \$188, Objections due by 10/10/2023. (Attachments: # <u>1</u> Proposed Order) (ab) (Entered: 09/25/2023)
10/02/2023		<u>14</u>	Emergency Motion filed by Petitioning Creditor Nathanson & Goldberg, P.C. For Order <i>Emergency Motion of Petitioning Creditors for Immediate Entry of an Order for Relief or, in the Alternative, an Order Forbidding the Manager of the Alleged Debtor from Filing Anything in the Courts of California</i> with certificate of service. (Attachments: # <u>1</u> Exhibit A) (Gordon, Stephen) (Entered: 10/02/2023)
10/02/2023		<u>15</u>	Supplement with certificate of service (Re: <u>13</u> Emergency Motion filed by Debtor Westborough SPE LLC To Modify Automatic Stay) filed by Debtor Westborough SPE LLC. (ab) (Entered: 10/02/2023)
10/03/2023		<u>16</u>	Notice of Appearance and Request for Notice by Paul W. Carey with certificate of service filed by Creditor Ferris Development Group, LLC (Carey, Paul) (Entered: 10/03/2023)
10/03/2023		<u>17</u>	Notice of Appearance and Request for Notice by Brian W. Riley with certificate of service filed by Creditor Town of Westborough (Riley, Brian) (Entered: 10/03/2023)
10/03/2023		<u>18</u>	Notice of Appearance and Request for Notice by Jeffrey T Blake with certificate of service filed by Creditor Town of Westborough (Blake, Jeffrey) (Entered: 10/03/2023)
10/03/2023		<u>19</u>	Notice of Appearance and Request for Notice by Roger L. Smerage with certificate of service filed by Creditor Town of Westborough (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023		<u>20</u>	Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts with certificate of service and proposed order Fee Amount \$188, Objections due by 10/17/2023. (Attachments: # <u>1</u> Appendix # <u>2</u> Proposed Order # <u>3</u> List of Exhibits) (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023		<u>21</u>	Exhibit <i>s A-L</i> (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit # <u>12</u> Certificate of Service) (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023		<u>22</u>	Affidavit of Kristi Williams <i>in Support of Motion</i> with certificate of service (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Declaration of Electronic Filing) (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023			Receipt of filing fee for Motion for Relief From Stay(<u>23-40709</u>) [motion,mrlfsty] (188.00). Receipt Number A20196974, amount \$ 188.00 (re: Doc# <u>20</u>) (U.S. Treasury) (Entered: 10/03/2023)
10/04/2023		<u>23</u>	Limited Opposition <i>to Motions for Appointment of Trustee (and for Order of Relief)</i> with certificate of service filed by Creditor Town of Westborough Re: <u>10</u> Motion filed by Debtor Westborough SPE LLC to Appoint Trustee with certificate of service., <u>14</u> Emergency Motion filed by Petitioning Creditor Nathanson & Goldberg, P.C. For Order <i>Emergency Motion of Petitioning Creditors for Immediate Entry of an Order for Relief</i>

			<i>or, in the Alternative, an Order Forbidding the Manager of the Alleged Debt (Attachments: # <u>1</u> Appendix) (Smerage, Roger) (Entered: 10/04/2023)</i>
10/06/2023		<u>24</u>	Opposition with certificate of service filed by Debtor Westborough SPE LLC Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. (ab) (Entered: 10/06/2023)
10/10/2023		<u>25</u>	Objection of <i>Petitioning Creditors</i> with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>13</u> Emergency Motion filed by Debtor Westborough SPE LLC for Relief from Stay Re: To Commence Legal Action in California Superior Court with certificate of service Fee Amount \$188, (Gordon, Stephen) (Entered: 10/10/2023)
10/11/2023		<u>26</u>	Order for Relief dated 10/11/2023. See Order for Full Text. (meh, Usbc) (Entered: 10/11/2023)
10/11/2023		<u>27</u>	DISREGARD – Copy of <u>26</u> Order for Relief to Debtor and The MobileStreet Trust. (sas) Corrective Entry– Wrong PDF attached. (Entered: 10/11/2023)
10/11/2023		<u>28</u>	Copy of <u>26</u> Order for Relief to Debtor and The MobileStreet Trust. (sas) (Entered: 10/11/2023)
10/12/2023		<u>29</u>	Certificate of Appointment and Acceptance of Trustee and Fixing of Bond. (ADI) (Entered: 10/12/2023)
10/12/2023			Meeting of Creditors 341(a) meeting to be held on 11/15/2023 at 11:30 AM as Telephonic Meeting. Proofs of Claims due by 1/9/2024. (meh, Usbc) (Entered: 10/12/2023)
10/12/2023		<u>30</u>	Court's Notice of 341 sent . (meh, Usbc) (Entered: 10/12/2023)
10/12/2023		<u>31</u>	Endorsed Order dated 10/12/2023 Re: <u>10</u> Motion filed by Debtor Westborough SPE LLC to Appoint Interim Trustee. DENIED AS UNNECESSARY. THE ORDER FOR RELIEF HAS ENTERED IN THIS CASE, SEE DKT. NO. 26, AND A CHAPTER 7 TRUSTEE HAS BEEN APPOINTED. (sas) (Entered: 10/12/2023)
10/13/2023		<u>32</u>	DISREGARD. Application filed by Trustee Jonathan R. Goldsmith to Employ Goldsmith, Katz & Argenio, P.C. as Counsel filed with Affidavit along with certificate of service and proposed order. (Goldsmith, Jonathan) Incorrect PDF Attached. Modified on 10/13/2023 (ab). (Entered: 10/13/2023)
10/13/2023		<u>33</u>	DISREGARD. Declaration Re: Electronic Filing (Re: <u>32</u> Application to Employ) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) Incorrect Pdf Attached. Modified on 10/13/2023 (ab). (Entered: 10/13/2023)
10/13/2023		<u>34</u>	Application filed by Trustee Jonathan R. Goldsmith to Employ Goldsmith, Katz & Argenio, P.C. as Counsel filed with Affidavit along with certificate of service and proposed order. (Goldsmith, Jonathan) (Entered: 10/13/2023)
10/13/2023		<u>35</u>	Declaration Re: Electronic Filing (Re: <u>34</u> Application to Employ) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 10/13/2023)

			10/13/2023)
10/13/2023		<u>36</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>28</u> Generic PDF) Notice Date 10/13/2023. (Admin.) (Entered: 10/14/2023)
10/14/2023		<u>37</u>	BNC Certificate of Mailing – Meeting of Creditors. (Re: <u>30</u> Court's Notice of 341 sent 7 Business Asset) Notice Date 10/14/2023. (Admin.) (Entered: 10/15/2023)
10/14/2023		<u>38</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>31</u> Order on Motion to Appoint Trustee) Notice Date 10/14/2023. (Admin.) (Entered: 10/15/2023)
10/16/2023		<u>39</u>	Telephonic Hearing Scheduled for 10/25/2023 at 02:30 PM. Objections due by 10/24/2023 at 12:00 PM on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA) and Opposition to Appointment of a Bankruptcy Trustee. TO PARTICIPATE, ATTENDEES SHALL DIAL (877) 873-8018 AND ENTER ACCESS CODE 1167883. To facilitate informal discussions similar to those that occur just prior to in-person hearings that may narrow or resolve issues, the Court encourages parties to confer by telephone prior to the scheduled hearing. When stating their names for the record, participants are invited to also state that the parties have reached resolution on some or all of the issues on for hearing. (hm) (Entered: 10/16/2023)
10/16/2023		<u>40</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Hearing) (Smerage, Roger) (Entered: 10/16/2023)
10/23/2023		<u>41</u>	Order dated 10/23/2023 Re: <u>13</u> Emergency Motion filed by Debtor Westborough SPE LLC To Modify Automatic Stay Re: To Commence Legal Action in California Superior Court. NOTWITHSTANDING THAT THE MOTION WAS FILED BY WESTBOROUGH SPE, LLC WITHOUT COUNSEL, SEE MLBR 9010- 1(G), MLBR 9029-3, AND D. MASS. LR 83.5.5 (PROVIDING THAT A LIMITED LIABILITY COMPANY MAY NOT APPEAR WITHOUT COUNSEL), EVEN IF THE COURT WERE TO CONSIDER THIS MOTION, IT IS MOOT. AN ORDER FOR RELIEF HAS ENTERED AND A CHAPTER 7 TRUSTEE HAS BEEN APPOINTED. (ab) (Entered: 10/23/2023)
10/23/2023		<u>42</u>	Endorsed Order dated 10/23/2023 Re: <u>14</u> Emergency Motion filed by Petitioning Creditor Nathanson & Goldberg, P.C. For Order Emergency Motion of Petitioning Creditors for Immediate Entry of an Order for Relief or, in the Alternative, an Order Forbidding the Manager of the Alleged Debtor from Filing Anything in the Courts of California. MOOT. AN ORDER FOR RELIEFHAS ENTERED AND A CHAPTER 7 TRUSTEE HAS BEEN APPOINTED. (ab) (Entered: 10/23/2023)
10/24/2023		<u>43</u>	Limited Objection filed by Trustee Jonathan R. Goldsmith Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts with certificate of service and proposed order Fee Amount \$188, (Goldsmith, Jonathan) (Entered: 10/24/2023)
10/24/2023		<u>44</u>	Certificate of Service (Re: <u>43</u> Objection) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 10/24/2023)
10/24/2023		<u>45</u>	Assented To Motion filed by Trustee Jonathan R. Goldsmith to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay] with certificate of service.

			(Goldsmith, Jonathan) (Entered: 10/24/2023)
10/24/2023		<u>46</u>	Order dated 10/24/2023 Re: <u>45</u> Assented To Motion filed by Trustee Jonathan R. Goldsmith to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay]. THEASSENTED TO MOTION TO CONTINUE HEARING IS GRANTED. THE OCTOBER 25, 2023 HEARING REGARDING THE TOWN OF WESTBOROUGH'S MOTION FOR RELIEF FROM AUTOMATIC STAY [DKT. NO. 20] (THE "STAY RELIEF MOTION") IS HEREBY CONTINUED TO NOVEMBER 30, 2023 AT 10:30 A.M. IN PERSON IN COURTROOM 1, 12TH FLOOR, JOHN W. MCCORMACK POST OFFICE AND COURT HOUSE, 5 POST OFFICE SQUARE, BOSTON, MASSACHUSETTS 02109, WITH AN OPTION TO APPEAR BY ZOOM VIDEO. THE COURT SHALL ENTER A FURTHER NOTICE OF HYBRID HEARING INFORMING PARTICIPANTS ON HOW TO ELECT TO APPEAR BY EITHER ZOOM VIDEO OR IN PERSON AT THE CONTINUED HEARING. THE DEADLINE FOR THE TRUSTEE TO FILE A FURTHER RESPONSE TO THE STAY RELIEF MOTION IS NOVEMBER 27, 2023 AT 11:59 P.M. (ab) (Entered: 10/24/2023)
10/24/2023		<u>47</u>	Hybrid Hearing Scheduled for 11/30/2023 at 10:30 AM Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA Re <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA) and Opposition to Appointment of a Bankruptcy Trustee. (SEE DOCKET NO. 46 FOR TRUSTEE RESPONSE DEADLINE). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 10/24/2023)
10/24/2023			Hearing Rescheduled to 11/30/2023 at 10:30 AM as Hybrid Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA Re <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 10/24/2023)
10/25/2023		<u>48</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Hearing) (Smerage, Roger) (Entered: 10/25/2023)
10/25/2023		<u>49</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>41</u> Order on Motion For Relief From Stay) Notice Date 10/25/2023. (Admin.) (Entered: 10/26/2023)
10/25/2023		<u>50</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>42</u> Order on Motion for Order/Authority) Notice Date 10/25/2023. (Admin.) (Entered: 10/26/2023)
10/26/2023		<u>51</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>46</u> Order on Motion to Continue/Cancel Hearing) Notice Date 10/26/2023. (Admin.) (Entered: 10/27/2023)
10/31/2023		<u>52</u>	Order dated 10/31/2023 Re: <u>34</u> Application filed by Trustee Jonathan R. Goldsmith to Employ Goldsmith, Katz & Argenio, P.C. as Counsel. ALLOWED. See Order for Full Text. (Telam, Usbc) (Entered: 10/31/2023)
11/13/2023			Telephonic Meeting Information for Section 341 Meeting of Creditors: Dial-in Number: 877-988-0160 Participant Code: 8425739#. For International Call Information Please Contact the Trustee. (Goldsmith, Jonathan) (Entered: 11/13/2023)

11/17/2023			Meeting of Creditors Held and Examination of Debtor as scheduled. (Goldsmith, Jonathan) (Entered: 11/17/2023)
11/27/2023		<u>53</u>	NOTICE OF TIME CHANGE OF HYBRID HEARING. The Time of the Hybrid Hearing Scheduled for 11/30/2023 Is Changed to 01:30 PM Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 11/27/2023)
11/27/2023			TIME CHANGE OF HYBRID HEARING. The Time of the Hearing Is Changed to 01:30 PM Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 11/27/2023)
11/27/2023		<u>54</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Time Change of Hybrid Hearing) (Smerage, Roger) (Entered: 11/27/2023)
11/27/2023		<u>55</u>	Supplemental Document: <i>Trustee's Supplemental Objection to Town of Westborough's Motion for Relief from Automatic Stay and Opposition to the Appointment of a Bankruptcy Trustee</i> with certificate of service (Re: <u>20</u> Motion for Relief From Stay, <u>46</u> Order on Motion to Continue/Cancel Hearing) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 11/27/2023)
11/30/2023			Hybrid Hearing Held and Continued to 12/21/2023 at 01:30 PM Either Zoom or In person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA re <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 12/01/2023)
12/01/2023			Hearing Held 11/30/2023 (Re: <u>20</u> Motion for Relief From Stay filed by Creditor Town of Westborough). (Telam, Usbc) (Entered: 12/01/2023)
12/01/2023		<u>56</u>	Proceeding Memorandum and Order dated 12/1/2023 Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. THE HEARING IS CONTINUED TO 12/21/2023 AT 1:30 PM IN COURTROOM 1, 12TH FLOOR, JOHN W. MCCORMACK POST OFFICE AND COURTHOUSE, 5 POST OFFICE SQUARE, BOSTON, MASSACHUSETTS 02109, WITH AN OPTION FOR PARTIES TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED HEARING, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY, HALINA MAGEROWSKI, AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 12/20/2023 AT 1:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (Telam, Usbc) (Entered: 12/01/2023)
12/15/2023		<u>57</u>	Joint Motion filed by Trustee Jonathan R. Goldsmith, Creditor Town of Westborough to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay] with certificate of service. (Smerage, Roger) (Entered: 12/15/2023)
12/18/2023		<u>58</u>	Notice of Appearance and Request for Notice with certificate of service filed by Creditor Lolonyon Akouete. (ab) (Entered: 12/18/2023)

12/18/2023		<u>59</u>	Opposition with certificate of service filed by Creditor Lolonyon Akouete Re: <u>57</u> Joint Motion filed by Trustee Jonathan R. Goldsmith, Creditor Town of Westborough to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay] with certificate of service. (ab) (Entered: 12/18/2023)
12/19/2023		<u>60</u>	Order dated 12/19/2023 Re: <u>57</u> Joint Motion filed by Trustee Jonathan R. Goldsmith, Creditor Town of Westborough to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay]. GRANTED. See Order for Full Text. (ab) (Entered: 12/19/2023)
12/19/2023			Hybrid Hearing Continued to 02/13/2024 at 10:30 AM Either Zoom or In person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 12/19/2023)
12/21/2023		<u>61</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>60</u> Order on Motion to Continue/Cancel Hearing) Notice Date 12/21/2023. (Admin.) (Entered: 12/22/2023)
01/04/2024		<u>62</u>	Motion filed by Creditor Lolonyon Akouete For Court Assistance In Recovering Unclaimed Funds For the Benefit of the Bankruptcy Estate with certificate of service. (ab) (Entered: 01/04/2024)
01/05/2024		<u>63</u>	Order dated 1/5/2024 Re: <u>62</u> Motion filed by Creditor Lolonyon Akouete For Court Assistance In Recovering Unclaimed Funds For the Benefit of the Bankruptcy Estate. DENIED. See Order for Full Text. (ab) (Entered: 01/05/2024)
01/05/2024		<u>65</u>	Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements with certificate of service. (ab) (Entered: 01/08/2024)
01/07/2024		<u>64</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>63</u> Order on Motion to Compel) Notice Date 01/07/2024. (Admin.) (Entered: 01/08/2024)
01/12/2024		<u>66</u>	Order dated 1/12/2024 Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements. DENIED. AS RECOGNIZED IN THE MOTION, THE CHAPTER 7 TRUSTEE IS THE PARTY AUTHORIZED TO ADDRESS COMPLIANCE REQUIREMENTS WITH RESPECT TO THE DEBTOR. WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDER, THE TRUSTEE SHALL FILE A STATUS REPORT WITH REPECT TO ANY FINANCIAL CRIMES ENFORCEMENT NETWORK COMPLIANCE REQUIREMENTS. (ab) (Entered: 01/12/2024)
01/14/2024		<u>67</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>66</u> Order on Motion to Compel) Notice Date 01/14/2024. (Admin.) (Entered: 01/15/2024)
01/15/2024		<u>68</u>	Motion filed by Creditor Lolonyon Akouete to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7) with certificate of service. (sl) (Entered: 01/16/2024)
01/16/2024		<u>69</u>	Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Attachments: # <u>1</u> Appendix # <u>2</u> List of Exhibits) (Smerage, Roger) (Entered: 01/16/2024)

01/16/2024		<u>70</u>	Exhibit (Re: <u>69</u> Motion to Dismiss Case) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Exhibit A – Quitclaim Deed # <u>2</u> Exhibit B – MA Certificate of Registration # <u>3</u> Exhibit C – LLC Agreement # <u>4</u> Exhibit D – MA Certificate of Withdrawal # <u>5</u> Exhibit E – BBAS Resignation # <u>6</u> Exhibit F – DE Administrative Dissolution # <u>7</u> Exhibit G – Babcock & Brown Withdrawal # <u>8</u> Exhibit H – VI Gazette, excerpted # <u>9</u> Exhibit I – Search Report # <u>10</u> Exhibit J – Instrument of Taking # <u>11</u> Exhibit K – Tax Foreclosure Complaint # <u>12</u> Exhibit L – Tax Foreclosure Judgment # <u>13</u> Exhibit M – DE Certificate of Revival # <u>14</u> Exhibit N – Dec. 6, 2022 Email # <u>15</u> Exhibit O – Smart Investors MD Documents # <u>16</u> Exhibit P – Akouete LinkedIn # <u>17</u> Exhibit Q – Akouete Exs. 2 and 3 # <u>18</u> Exhibit R – MA Application for Registration # <u>19</u> Exhibit S – Staples.com Printout # <u>20</u> Exhibit T – M. Morris Email # <u>21</u> Exhibit U – Jan. 13, 2023 Email # <u>22</u> Exhibit V – Bill of Sale # <u>23</u> Exhibit W – Motion to Vacate # <u>24</u> Exhibit X – In re Blaustein Docket # <u>25</u> Exhibit Y – Waiver of Notice and Consent to Conservatorship # <u>26</u> Exhibit Z – Affidavit of Peter L. Blaustein # <u>27</u> Exhibit AA – Jan. 7, 2023 Email # <u>28</u> Exhibit BB – iMessage Screenshots # <u>29</u> Exhibit CC – 2022 LLC Agreement # <u>30</u> Exhibit DD – Opposition without Exhibits # <u>31</u> Exhibit EE – Land Court Docket # <u>32</u> Exhibit FF – Sept. 15, 2022 Text # <u>33</u> Exhibit GG – CA Decision # <u>34</u> Exhibit HH – June 29, 2023 Email # <u>35</u> Exhibit II – Dec. 1, 2023 Email Chain # <u>36</u> Exhibit JJ – Dec. 16, 2023 Email # <u>37</u> Exhibit KK – Dec. 26, 2023 Email Chain # <u>38</u> Certificate of Service) (Smerage, Roger) (Entered: 01/16/2024)
01/16/2024		<u>71</u>	Hybrid Hearing Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP. Objections due by 2/7/2024 at 11:59 PM on <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 01/16/2024)
01/16/2024		<u>72</u>	Certificate of Service of Notice of Hearing (Re: <u>69</u> Motion to Dismiss Case) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Hearing) (Smerage, Roger) (Entered: 01/16/2024)
01/17/2024		<u>73</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. (ab) (Entered: 01/17/2024)
01/17/2024		<u>74</u>	Notice of Removal – Rule 9027 (a)(1) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 01/17/2024)
01/17/2024		<u>84</u>	Adversary case 24–04006. Notice of Removal Regarding Town of Westborough v. Westborough SPE LLC filed by Jonathan Goldsmith, Chapter 7 Trustee. Fee Amount \$350 Nature of Suit (Nature of Suit (01 (Determination of removed claim or cause). (meh, Usbc) (Entered: 02/07/2024)
01/25/2024		<u>75</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>68</u> Motion filed by Creditor Lolonyon Akouete Seeking to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7). (Goldsmith, Jonathan) (Entered: 01/25/2024)
01/26/2024		<u>76</u>	Order dated 1/26/2024 Re: <u>68</u> Motion filed by Creditor Lolonyon Akouete to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7). DENIED. See Order for Full Text. (ab) (Entered: 01/26/2024)
01/28/2024		<u>77</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>76</u> Order on Generic Motion) Notice Date 01/28/2024. (Admin.) (Entered: 01/29/2024)

02/02/2024		<u>78</u>	Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate [Expedited Determination Requested] with certificate of service. (Goldsmith, Jonathan) (Entered: 02/02/2024)
02/02/2024		<u>79</u>	DISREGARD. A CORRECTED NOTICE SHALL ISSUE. Hybrid Hearing Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP. Objections due by 2/12/2024 at 04:30 PM on <u>78</u> Expedited Motion of the Chapter 7 Trustee, Jonathan R. Goldsmith, to Compel the California State Controller to Surrender to the Trustee Property of the Estate. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) Modified on 2/8/2024 (hm). (Entered: 02/02/2024)
02/05/2024		<u>80</u>	Certificate of Service of Notice of Hearing (Re: <u>78</u> Motion to Compel) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 02/05/2024)
02/05/2024		<u>81</u>	Response with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>76</u> Order dated 1/26/2024 Re: <u>68</u> Motion filed by Creditor Lolonyon Akouete to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7). DENIED. See Order for Full Text. (ab) (Goldsmith, Jonathan) (Entered: 02/05/2024)
02/07/2024		<u>82</u>	DISREGARD – Hybrid Status Conference Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>74</u> Notice of the Chapter 7 Trustee, Jonathan R. Goldsmith, of Removal – Rule 9027 (a)(1). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 02/07/2024)
02/07/2024		<u>83</u>	Motion filed by Creditor Town of Westborough for Remand Tax Foreclosure Action (Re: <u>74</u> Notice) with certificate of service. (Attachments: # <u>1</u> Appendix) (Smerage, Roger) (Motion has been docketed in AP 24–4006 Document #2.) (Entered: 02/07/2024)
02/07/2024		<u>85</u>	Opposition with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Goldsmith, Jonathan) (Entered: 02/07/2024)
02/07/2024		<u>86</u>	Objection of <i>Petitioning Creditors to Town of Westborough's Motion to Dismiss Bankruptcy Case</i> with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Gordon, Stephen) (Entered: 02/07/2024)
02/07/2024		<u>87</u>	Objection / <i>Opposition</i> with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Attachments: # <u>1</u> Exhibit 1 – LLC Operating Agreement (Delaware) # <u>2</u> Exhibit 2 – Email from Goulston & Storrs P.C. # <u>3</u> Exhibit 3 – Second Notice of Supplementation in Land Court Proceeding # <u>4</u> Exhibit 4 – First Notice of Supplementation in Land Court Proceeding # <u>5</u> Exhibit 5 – Town Request for Proposal for 231 Tunrpike Road, Westborough, Mass. # <u>6</u> Exhibit 6 – Copies of August 8, 2023 Checks from IRS (US Treasury) to Westborough SPE LLC c/o New York Address of Akouete and Edwards # <u>7</u> Exhibit 7 – Email Correspondence between Calif. State Controller Office and Attorney Iris Leahy (Town of Westborough)) (Schlager, Scott) (Entered: 02/07/2024)

02/08/2024		<u>88</u>	CORRECTED HEARING NOTICE. Hybrid Hearing Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP. Objections due by 2/12/2024 at 04:30 PM on <u>78</u> Expedited Motion of the Chapter 7 Trustee, Jonathan R. Goldsmith, to Compel the California State Controller to Surrender to the Trustee Property of the Estate. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS (hm) (Entered: 02/08/2024)
02/09/2024		<u>89</u>	Status Report (<i>Joint Status Report in Advance of Feb. 13, 2024 Hearing</i>) filed by Creditor Town of Westborough (Smerage, Roger) (Entered: 02/09/2024)
02/09/2024		<u>90</u>	Position Statement with certificate of service (Re: <u>20</u> Motion for Relief From Stay, <u>69</u> Motion to Dismiss Case, <u>78</u> Motion to Compel) filed by Creditor Lolonyon Akouete. (ab) (Entered: 02/09/2024)
02/09/2024		<u>91</u>	Certificate of Service of Notice of Hearing (Re: <u>78</u> Motion to Compel) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 02/09/2024)
02/11/2024		<u>92</u>	Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (ab) (Entered: 02/12/2024)
02/12/2024		<u>93</u>	Motion filed by Trustee Jonathan R. Goldsmith to Withdraw Document and Cancel Hearing [Re: <u>78</u> Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate [Expedited Determination Requested] with certificate of service.] with certificate of service. (Goldsmith, Jonathan) (Entered: 02/12/2024)
02/12/2024		<u>94</u>	Order dated 2/12/2024 Re: <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA), <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case, <u>78</u> Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate. THE COURT HEREBY CONVERTS THE IN PERSON/VIDEO HYBRID HEARINGS REGARDING DKT. NOS. 20, 69, AND 78 SCHEDULED FOR FEBRUARY 13, 2024 AT 10:30 A.M. TO TELEPHONIC STATUS CONFERENCES. TO PARTICIPATE, PARTIES SHALL DIAL (877) 873-8018 AND ENTER ACCESS CODE 1167883. (ab) (Entered: 02/12/2024)
02/12/2024		<u>95</u>	Order dated 2/12/2024 Re: <u>83</u> Motion filed by Creditor Town of Westborough for Remand Tax Foreclosure Action (Re: <u>74</u> Notice). NO FURTHER ACTION WILL BE TAKEN ON THIS MOTION [DKT. NO. 83] ON THE MAIN CASE DOCKET. THE MOTION HAS BEEN REDOCKETED IN ADVERSARY PROCEEDING NO. 24-4006, DKT. NO. 2. (ab) (Entered: 02/12/2024)
02/12/2024		<u>96</u>	Order dated 2/12/2024 Re: <u>93</u> Motion filed by Trustee Jonathan R. Goldsmith to Withdraw Document and Cancel Hearing [Re: <u>78</u> Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate [Expedited Determination Requested] . GRANTED. THE MOTION TO COMPEL [DKT. NO. 78] IS HEREBY WITHDRAWN AND THE STATUS CONFERENCE SCHEDULED FOR FEBRUARY 13, 2024 REGARDING THE MOTION TO COMPEL IS CANCELLED AS UNNECESSARY. (ab) (Entered: 02/12/2024)

02/12/2024		<u>97</u>	Response with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>66</u> Order dated 1/12/2024 Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information for Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements. (Goldsmith, Jonathan) (Entered: 02/12/2024)
02/13/2024			Status Conference Held and Continued to 03/19/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 02/13/2024)
02/13/2024			Status Conference Held and Continued to 03/19/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. (hm) (Entered: 02/13/2024)
02/13/2024		<u>98</u>	Proceeding Memorandum and Order dated 2/13/2024 Re: <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case; and <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). THE STATUS CONFERENCES ON DKT. NOS. 20 AND 69 ARE CONTINUED TO 3/19/2024 AT 1:30 P.M. IN COURTROOM 3, 595 MAIN STREET, WORCESTER, MA, WITH AN OPTION FOR PARTIES IN INTEREST TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED STATUS CONFERENCES, PARTIES IN INTEREST SHALL EMAIL THE COURTROOM DEPUTY, HALINA MAGEROWSKI, AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 3/18/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO.(ab) (Entered: 02/13/2024)
02/14/2024		<u>99</u>	Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement [Re: <u>92</u> Motion of Lolonyon Akouete for Interim Distributionn] with certificate of service. (ab) (Entered: 02/14/2024)
02/14/2024		<u>100</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>94</u> Order on Motion to Dismiss Case) Notice Date 02/14/2024. (Admin.) (Entered: 02/15/2024)
02/14/2024		<u>101</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>95</u> Order on Motion For Remand) Notice Date 02/14/2024. (Admin.) (Entered: 02/15/2024)
02/14/2024		<u>102</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>96</u> Order on Motion to Withdraw Document) Notice Date 02/14/2024. (Admin.) (Entered: 02/15/2024)
02/15/2024		<u>103</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>98</u> Order on Motion to Dismiss Case) Notice Date 02/15/2024. (Admin.) (Entered: 02/16/2024)
02/20/2024		<u>104</u>	Expedited Motion filed by Creditor Lolonyon Akouete for Clarification and to Compel Release of Information for Compliance with FINCEN Requirements with certificate of service. (Telam, Usbc) (Entered: 02/20/2024)
02/23/2024		<u>105</u>	Order dated 2/23/2024 Re: <u>97</u> Response with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>66</u> Order dated 1/12/2024 Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of

			Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements. UPON CONSIDERATION OF THE TRUSTEE'S RESPONSE TO ORDER FOR STATUS REPORT REGARDING RELEASE OF INFORMATION FOR COMPLIANCE WITH THE FINANCIAL CRIMES ENFORCEMENT NETWORK REQUIREMENTS [DKT. NO. 97], THE TRUSTEE SHALL FILE AN UPDATED STATUS REPORT WITH RESPECT TO THE ORDER ENTERED AT DKT. NO. 66 ON OR BEFORE MAY 23, 2024. (Telam, Usbc) (Entered: 02/23/2024)
02/23/2024		<u>106</u>	Endorsed Order dated 2/23/2024 Re: <u>104</u> Expedited Motion filed by Creditor Lolonyon Akouete for Clarification and to Compel Release of Information for Compliance with FINCEN Requirements. DENIED. AS REFERENCED IN THE ORDER ENTERED AT DKT. NO. 105, THE TRUSTEE IS FILING A FURTHER STATUS REPORT ON OR BEFORE MAY 23, 2024. (Telam, Usbc) (Entered: 02/23/2024)
02/26/2024		<u>107</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>92</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service., <u>99</u> Motion filed by Creditor Lolonyon Akouete For Expedited Determination [Re: <u>92</u> Motion for Interim/Supplemental Distribution] with certificate of service. (Goldsmith, Jonathan) (Entered: 02/26/2024)
02/27/2024		<u>108</u>	Response with certificate of service filed by Creditor Lolonyon Akouete to <u>107</u> Objection filed by Trustee Jonathan R. Goldsmith Re: <u>92</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, and <u>99</u> Motion filed by Creditor Lolonyon Akouete For Expedited Determination [Re: <u>92</u> Motion for Interim/Supplemental Distribution]. (ab) (Entered: 02/27/2024)
02/27/2024		<u>109</u>	Response with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>92</u> Motion of Lolonyon Akouete for Interim Distribution, <u>99</u> Motion of Lolonyon Akouete For Expedited Determination, <u>107</u> Trustee's Objection, and <u>108</u> Response of Lolonyon Akouete to <u>107</u> Trustee's Objection. (Gordon, Stephen) (Entered: 02/27/2024)
02/27/2024		<u>110</u>	Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim with certificate of service. (Smerage, Roger) (Entered: 02/27/2024)
02/27/2024		<u>112</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete to <u>109</u> Response filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>92</u> Motion of Lolonyon Akouete for Interim Distribution, <u>99</u> Motion of Lolonyon Akouete For Expedited Determination, <u>107</u> Trustee's Objection, and <u>108</u> Response of Lolonyon Akouete to <u>107</u> Trustee's Objection. (ab) (Entered: 02/28/2024)
02/28/2024		<u>111</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>110</u> Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim. (ab) (Entered: 02/28/2024)
02/29/2024		<u>113</u>	Opposition filed by Creditor Town of Westborough [Re: <u>92</u> Motion for Interim/Supplemental Distribution, <u>99</u> Motion filed by Creditor Lolonyon Akouete For Expedited Determination] with certificate of service. (Smerage, Roger) (Entered: 02/29/2024)
03/19/2024		<u>114</u>	

			Order dated 3/19/2024 Re: <u>92</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, <u>99</u> Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement. REQUEST FOR EXPEDITED DETERMINATION [DKT. NO. 99] OF THE MOTION FOR INTERIM DISTRIBUTION FILED BY LOLONYON AKOUETE [DKT. NO. 92] (THE "INTERIM DISTRIBUTION MOTION") IS DENIED. UPON CONSIDERATION OF THE INTERIM DISTRIBUTION MOTION, THE OBJECTIONS OF THE CHAPTER 7 TRUSTEE [DKT. NO. 107], THE PETITIONING CREDITORS [DKT. NO. 109], AND THE TOWN OF WESTBOROUGH [DKT. NO. 113], AND THE REPLIES OF MR. AKOUETE [DKT. NOS. 108 AND 112], THE INTERIM DISTRIBUTION MOTION IS DENIED AS PREMATURE. (meh, Usbc) (Entered: 03/19/2024)
03/19/2024		<u>115</u>	Order dated 3/19/2024 Re: <u>110</u> Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim. UPON CONSIDERATION OF TOWN OF WESTBOROUGH'S MOTION TO ENLARGE THE TIME TO FILE A PROOF OF CLAIM [DKT. NO. 110] (THE "MOTION"), THE RESPONSE THERETO FILED BY LOLONYON AKOUETE [DKT. NO. 111], AND NO OTHER OBJECTIONS HAVING BEEN FILED, THE MOTION IS GRANTED. THE DEADLINE FOR THE TOWN OF WESTBOROUGH TO FILE A PROOF OF CLAIM IS EXTENDED AS REQUESTED PENDING ENTRY OF AN ORDER BY THE COURT THAT THE PROPERTY AT ISSUE IS PROPERTY OF THE ESTATE. (meh, Usbc) (Entered: 03/19/2024)
03/19/2024			Hybrid Hearing Held and Continued to 04/23/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 03/19/2024)
03/19/2024			Hybrid Hearing Held and Continued to 04/23/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on : <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. (hm) (Entered: 03/19/2024)
03/19/2024		<u>116</u>	Proceeding Memorandum and Order dated 3/19/2024 Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case, Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. THE STATUS CONFERENCES ON DOCKET NOS. 20 AND 69 ARE CONTINUED TO 4/23/2024 AT 1:30 P.M. IN COURTROOM 3, 595 MAIN STREET, WORCESTER, MA WITH AN OPTION FOR PARTIES TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED STATUS CONFERENCES, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 4/22/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (Telam, Usbc) (Entered: 03/19/2024)
03/27/2024		<u>117</u>	Email from Interested Party Lolonyon Akouete. (sas) (Entered: 03/27/2024)
03/28/2024		<u>118</u>	Motion before The Honorable Howard P. Speicher filed by Party Lolonyon Akouete Re: <u>117</u> Email from Interested Party Lolonyon Akouete. (meh, Usbc) (Entered: 03/28/2024)
04/15/2024		<u>119</u>	

			Adversary case 24-04017. Complaint by Lolonyon Akouete against Jonathan Goldsmith . . (Attachments: # <u>1</u> Exhibit) Nature of Suit(91 (Declaratory judgment))(dc) (Entered: 04/15/2024)
04/15/2024		<u>120</u>	Notice of Withdrawal of Appearance/Representation of <i>Scott A. Schlager, Esq.</i> filed by Petitioning Creditor Nathanson & Goldberg, P.C. (Schlager, Scott) (Entered: 04/15/2024)
04/15/2024		<u>121</u>	Request to Report Harassment, Intimation, Isolation, Mental, Physical, Emotional Abuse and Stress Due to Financial Hardship filed by Interested Party Denise Edwards. (Attachments: # <u>1</u> Settlement Purposes) (ab) (Entered: 04/17/2024)
04/17/2024		<u>122</u>	Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor, with certificate of service, Fee Amount \$199, Objections due by 5/2/2024. (ab) (Entered: 04/18/2024)
04/18/2024		<u>123</u>	Clerk's Notice of Fees Due (Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor). Fee due by 5/2/2024. (ab) (Entered: 04/18/2024)
04/18/2024		<u>124</u>	Court Certificate of Mailing Re: <u>123</u> Clerk's Notice of Fees Due. (ab) (Entered: 04/18/2024)
04/22/2024		<u>125</u>	Order dated 4/22/2024 Re: <u>117</u> Email from Interested Party Lolonyon Akouete, <u>118</u> Motion before The Honorable Howard P. Speicher filed by Party Lolonyon Akouete Re: <u>117</u> Email from Interested Party Lolonyon Akouete. LOLONYON AKOUE TE HAVING TRANSMITTED THE DOCUMENT AT DKT. NO. 118 FOR FILING (THE "DOCUMENT"), WHICH DOCUMENT DOES NOT CONTAIN THE CAPTION OF THIS COURT AND THERE BEING NO INFORMATION AS TO WHETHER THE DOCUMENT WAS INTENDED AS AN EXHIBIT TO ANY OTHER FILING OF MR. AKOUE TE, THE DOCUMENT SHALL BE STRICKEN ON OR AFTER APRIL 30, 2024, ABSENT ANY SUPPLEMENT BY MR. AKOUE TE WITH RESPECT TO THE DOCUMENT. (meh, Usbc) (Entered: 04/22/2024)
04/22/2024		<u>126</u>	Motion filed by Creditor Lolonyon Akouete to Include [Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor] <i>In the Upcoming Hearing</i> , with certificate of service. (ab) (Entered: 04/23/2024)
04/23/2024		<u>127</u>	Telephonic Status Conference Scheduled for 5/8/2024 at 11:00 AM on <u>121</u> Complaint to Report Threats, Harassment, Disrespect, Isolation, Mental Stress, Emotional Stress, Physical Distress and Financial Hardship Filed by Denise Edwards. TO PARTICIPATE, ATTENDEES SHALL DIAL (646) 828-7666 AND ENTER MEETING ID 160 257 7274 AND PASSCODE 984 524 WHEN PROMPTED. To facilitate informal discussions similar to those that occur just prior to in-person hearings that may narrow or resolve issues, the Court encourages parties to confer by telephone prior to the scheduled hearing. When stating their names for the record, participants are invited to also state that the parties have reached resolution on some or all of the issues on for hearing. (hm) (Entered: 04/23/2024)
04/23/2024		<u>128</u>	Endorsed Order dated 4/23/2024 Re: <u>126</u> Motion filed by Creditor Lolonyon Akouete to Include Re: <u>122</u> Motion filed by Creditor Lolonyon

			Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor In the Upcoming Hearing.,. DENIED. THE MOTION FOR RELIEF [DKT. NO. 122] WILL BE SCHEDULED FOR A DATE AFTER EXPIRATION OF THE OBJECTION DEADLINE WITH RESPECT TO THAT MOTION. (meh, Usbc) (Entered: 04/23/2024)
04/23/2024			Hybrid Hearing Held and Continued to 06/04/2024 at 02:00 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 04/23/2024)
04/23/2024			Hybrid Hearing Held and Continued to 06/04/2024 at 02:00 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. (hm) (Entered: 04/23/2024)
04/23/2024		<u>129</u>	Proceeding Memorandum and Order dated 4/23/2024 Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts, and <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. THE STATUS CONFERENCES ON DOCKET NOS. 20 AND 69 ARE CONTINUED TO 6/4/2024 AT 2:00 P.M. IN COURTROOM 3, 595 MAIN STREET, WORCESTER, MA WITH AN OPTION FOR PARTIES TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED STATUS CONFERENCES, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 6/3/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (ab) (Entered: 04/23/2024)
04/25/2024		<u>130</u>	Motion filed by Interested Party Lolonyon Akouete to Waive Filing Fees (Re: 84] Notice of Removal, <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment) with certificate of service. (Telam, Usbc) (Entered: 04/25/2024)
04/25/2024		<u>131</u>	BNC Certificate of Mailing – Hearing. (Re: <u>127</u> Hearing Scheduled) Notice Date 04/25/2024. (Admin.) (Entered: 04/26/2024)
04/25/2024		<u>132</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>129</u> Order on Motion to Dismiss Case) Notice Date 04/25/2024. (Admin.) (Entered: 04/26/2024)
04/28/2024		<u>133</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>128</u> Order on Motion to Continue/Cancel Hearing) Notice Date 04/28/2024. (Admin.) (Entered: 04/29/2024)
04/29/2024		<u>134</u>	Notice of Appearance and Request for Notice by Jose C. Centeio filed by Petitioning Creditor Nathanson & Goldberg, P.C. (Centeio, Jose) (Entered: 04/29/2024)
04/30/2024		<u>135</u>	Motion filed by Creditor Lolonyon Akouete For Court Intervention <i>Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property</i> , with certificate of service. (ab) (Entered: 04/30/2024)
05/02/2024		<u>136</u>	Objection filed by Trustee Jonathan R. Goldsmith Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a

			definitive Judgment with certificate of service Fee Amount \$199, (Goldsmith, Jonathan) (Entered: 05/02/2024)
05/02/2024		<u>137</u>	Certificate of Service (Re: <u>136</u> Objection) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 05/02/2024)
05/02/2024		<u>138</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment with certificate of service Fee Amount \$199, (Smerage, Roger) (Entered: 05/02/2024)
05/03/2024		<u>139</u>	Hybrid Hearing Scheduled for 5/16/2024 at 10:30 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 on <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (meh, Usbc) (Entered: 05/03/2024)
05/03/2024		<u>140</u>	Hybrid Hearing Scheduled on 5/16/2024 at 10:30 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109. Objections due by 5/14/2024 at 11:59 PM on <u>130</u> Motion filed by Interested Party Lolonyon Akouete to Waive Filing Fees (Re: <u>84</u> Notice of Removal, <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (meh, Usbc) (Entered: 05/03/2024)
05/03/2024		<u>141</u>	Hybrid Hearing Scheduled on 5/16/2024 at 10:30 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109. Objections due by 5/14/2024 at 11:59 PM on <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuances and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (meh, Usbc) (Entered: 05/03/2024)
05/03/2024		<u>142</u>	Generic PDF Re: <u>139</u> Hybrid Hearing Notice. (meh, Usbc) (Entered: 05/03/2024)
05/04/2024		<u>146</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>138</u> Opposition filed by Creditor Town of Westborough Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. (ab) (Entered: 05/06/2024)
05/05/2024		<u>143</u>	BNC Certificate of Mailing – Hearing. (Re: <u>140</u> Hearing Scheduled) Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/05/2024		<u>144</u>	BNC Certificate of Mailing – Hearing. (Re: <u>141</u> Hearing Scheduled) Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/05/2024		<u>145</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>142</u> Generic PDF) Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/07/2024		<u>147</u>	Application filed by Trustee Jonathan R. Goldsmith to Employ Verdolino & Lowey, P.C. as Accountant filed with Affidavit along with certificate of service and proposed order. (Goldsmith, Jonathan) (Entered: 05/07/2024)
05/08/2024			

			Hearing Held Re: <u>121</u> Complaint to Report Threats, Harassment, Disrespect, Isolation, Mental Stress, Emotional Stress, Physical Distress and Financial Hardship Filed by Denise Edwards. (ab) (Entered: 05/08/2024)
05/08/2024		<u>148</u>	Order Dated 5/8/2024 Re: <u>121</u> Complaint to Report Threats, Harassment, Disrespect, Isolation, Mental Stress, Emotional Stress, Physical Distress and Financial Hardship Filed by Denise Edwards. STRICKEN. See Order for Full Text. (ab) (Entered: 05/08/2024)
05/09/2024		<u>149</u>	Motion filed by Creditor Lolonyon Akouete Requesting Response to Previously Filed Motions and Concerns Over Proposed Settlement (Re: <u>92</u> Motion for Interim Distribution, and <u>99</u> Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement [Re: <u>92</u> Motion for Interim Distributionn]) with certificate of service. (ab) (Entered: 05/09/2024)
05/10/2024		<u>150</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>148</u> Order) Notice Date 05/10/2024. (Admin.) (Entered: 05/11/2024)
05/13/2024		<u>151</u>	Order Dated 5/13/2024 Re: <u>118</u> Motion before The Honorable Howard P. Speicher filed by Party Lolonyon Akouete Re: <u>117</u> Email from Interested Party Lolonyon Akouete. NO SUPPLEMENT HAVING BEEN FILED TO THE DOCUMENT AT DKT. NO. 118 (THE "DOCUMENT") IN COMPLIANCE WITH THE ORDER ENTERED AT DKT. NO. 125, THE DOCUMENT IS HEREBY STRICKEN, WITHOUT PREJUDICE TO THE DOCUMENT BEING REFILED AS AN EXHIBIT TO ANY RELEVANT PLEADING, IF APPROPRIATE. IN ADDITION, THE TRANSMISSION EMAIL AT DKT. NO. 117 IS ALSO STRICKEN. (ab) (Entered: 05/13/2024)
05/13/2024		<u>152</u>	Endorsed Order dated 5/13/2024 Re: <u>149</u> Motion filed by Creditor Lolonyon Akouete Requesting Response to Previously Filed Motions and Concerns Over Proposed Settlement (Re: <u>92</u> Motion for Interim Distribution, and <u>99</u> Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement [Re: <u>92</u> Motion for Interim Distributionn]). DENIED. THE MOTIONS AT DKT.NOS. 92 AND 99 HAVE BEEN DENIED. SEE ORDER AT DKT. NO. 114. THE OBJECTION TO A SETTLEMENT "PROPOSAL" THAT HAS NOT BEEN FILED IS PREMATURE. (ab) (Entered: 05/13/2024)
05/14/2024		<u>153</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete to Intervene with certificate of service (Smerage, Roger) (Entered: 05/14/2024)
05/14/2024		<u>154</u>	Opposition filed by Trustee Jonathan R. Goldsmith Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete to Intervene with certificate of service (Goldsmith, Jonathan) (Entered: 05/14/2024)
05/14/2024		<u>155</u>	Certificate of Service (Re: <u>154</u> Opposition) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 05/14/2024)
05/15/2024		<u>156</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>151</u> Order) Notice Date 05/15/2024. (Admin.) (Entered: 05/16/2024)
05/15/2024		<u>157</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>152</u> Order on Motion for Order/Authority) Notice Date 05/15/2024. (Admin.) (Entered: 05/16/2024)

05/15/2024		<u>158</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. (ab) (Entered: 05/16/2024)
05/16/2024		<u>159</u>	Endorsed Order dated 5/16/2024 Re: <u>130</u> Motion filed by Interested Party Lolonyon Akouete to Waive Filing Fees (Re: <u>84</u> Notice of Removal, <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment). THE REQUEST IS DENIED WITHOUT PREJUDICE AS WILL BE REFLECTED IN A SEPARATE ORDER TO ENTER. THE MAY 16, 2024 HEARING ON THIS MATTER IS CANCELLED. (ab) (Entered: 05/16/2024)
05/16/2024			Hearing Held Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. (ab) (Entered: 05/20/2024)
05/16/2024			Hearing Held Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. (ab) (Entered: 05/20/2024)
05/18/2024		<u>160</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>159</u> Order on Motion to Waive) Notice Date 05/18/2024. (Admin.) (Entered: 05/19/2024)
05/19/2024		<u>161</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>154</u> Opposition filed by Trustee Jonathan R. Goldsmith Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. (ab) (Entered: 05/20/2024)
05/20/2024		<u>162</u>	Proceeding Memorandum and Order dated 5/20/2024 Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. DENIED. MOVANT FAILED TO APPEAR TO PROSECUTE THE MOTION. IN ADDITION, THE MOTION IS DENIED AS IT DID NOT STATE A SUFFICIENT BASIS AS TO WHY THE MOVANT SHOULD BE PERMITTED TO PURSUE ASSERTED CLAIMS OUTSIDE OF THE CLAIMS PROCESS IN THIS CASE AND AS CONTEMPLATED BY THE BANKRUPTCY CODE AND RULES. (ab) (Entered: 05/20/2024)
05/20/2024		<u>163</u>	Proceeding Memorandum and Order dated 5/20/2024 Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. MOVANT FAILED TO APPEAR. THE MOTION IS DENIED. AS PREMATURE AND FOR THE REASONS STATED ON THE RECORD. IF AND WHEN A SETTLEMENT IS PROPOSED AND A MOTION TO APPROVE THE SETTLEMENT IS FILED, MR. AKOUETE CAN FILE AN APPROPRIATE OBJECTION. (ab) (Entered: 05/20/2024)
05/21/2024		<u>164</u>	Motion filed by Creditor Lolonyon Akouete for Reconsideration of Order Denying Motion for Relief from Stay (Re: <u>162</u> Proceeding Memorandum and Order dated 5/20/2024 Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor) with certificate of service. (ab) (Entered: 05/22/2024)

05/21/2024		<u>165</u>	Motion filed by Creditor Lolonyon Akouete for Reconsideration (Re: <u>163</u> Proceeding Memorandum and Order dated 5/20/2024 Re: 135 Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property) with certificate of service. (ab) (Entered: 05/22/2024)
05/22/2024		<u>166</u>	Motion filed by Creditor Lolonyon Akouete to Abandon Claims or Pursue Claims Belonging to the Bankruptcy Estate with certificate of service. (Telam, Usbc) (Entered: 05/22/2024)
05/22/2024		<u>167</u>	Endorsed Order dated 5/22/2024 Re: <u>147</u> Application filed by Trustee Jonathan R. Goldsmith to Employ Verdolino & Lowey, P.C. as Accountant. ALLOWED. NO OBJECTIONS FILED. THE CHAPTER 7 TRUSTEE'S APPLICATION TO EMPLOY VERDOLINO & LOWEY, P.C. AS ACCOUNTANT IS APPROVED PURSUANT TO 11 U.S.C. § 327. PAYMENT OF FEES AND EXPENSES OF ACCOUNTANT IS SUBJECT TO PRIOR COURT APPROVAL PURSUANT TO 11 U.S.C. § 330. (Telam, Usbc) (Entered: 05/22/2024)
05/22/2024		<u>168</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>162</u> Order on Motion For Relief From Stay) Notice Date 05/22/2024. (Admin.) (Entered: 05/23/2024)
05/22/2024		<u>169</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>163</u> Order on Motion To Intervene) Notice Date 05/22/2024. (Admin.) (Entered: 05/23/2024)
05/23/2024		<u>170</u>	Response filed by Trustee Jonathan R. Goldsmith Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements, <u>105</u> Order dated 2/23/2024 with certificate of service. (Goldsmith, Jonathan) (Entered: 05/23/2024)
05/27/2024		<u>171</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>170</u> Updated Response filed by Trustee Jonathan R. Goldsmith Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements, <u>105</u> Order dated 2/23/2024. (ab) (Entered: 05/28/2024)
06/04/2024			Hearing Held and Continued to 07/25/2024 at 11:00 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>20</u> Motion for Relief From Stay Filed by Creditor Town of Westborough. (meh, Usbc) (Entered: 06/07/2024)
06/04/2024			Hearing Held and Continued to 07/25/2024 at 11:00 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>69</u> Motion to Dismiss Case Filed by Creditor Town of Westborough. (meh, Usbc) (Entered: 06/07/2024)
06/05/2024		<u>172</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>164</u> Motion filed by Creditor Lolonyon Akouete to Reconsider (<u>162</u> Order on Motion For Relief From Stay) with certificate of service., <u>165</u> Motion filed by Creditor Lolonyon Akouete to Reconsider (<u>163</u> Order on Motion To Intervene) with certificate of service. (Smerage, Roger) (Entered: 06/05/2024)
06/05/2024		<u>173</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>166</u> Motion filed by Creditor Lolonyon Akouete To

			Abandon Claims with certificate of service. (Goldsmith, Jonathan) (Entered: 06/05/2024)
06/07/2024		<u>174</u>	Correspondence Filed by Interested Party Denise Edwards. (Attachments: # <u>1</u> Exhibit) (ab) (Entered: 06/07/2024)
06/07/2024		<u>175</u>	Proceeding Memorandum and Order dated 6/7/2024 Re: <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA), and <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. THE STATUS CONFERENCES ON DOCKET NOS. 20 AND 69 ARE CONTINUED TO JULY 25, 2024 AT 11:00 A.M.IN COURTROOM 1, 12TH FLOOR, JOHN W. MCCORMACK POST OFFICE AND COURT HOUSE, 5 POST OFFICE SQUARE, BOSTON, MA WITH AN OPTION TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED HEARING, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 7/24/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (ab) (Entered: 06/07/2024)
06/09/2024		<u>176</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>175</u> Order on Motion to Dismiss Case) Notice Date 06/09/2024. (Admin.) (Entered: 06/10/2024)
06/10/2024		<u>177</u>	Supplement with certificate of service To Motion for Relief from Automatic Stay (Doc #122) And Motion for Reconsideration of Order Denying Motion for Relief from Stay (Doc #164) (Re: <u>122</u> Motion for Relief From Stay, and <u>164</u> Motion to Reconsider) filed by Creditor Lolonyon Akouete. (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Exhibit 2 # <u>3</u> Exhibit 3 # <u>4</u> Exhibit 4 # <u>5</u> Exhibit 5) (ab) (Entered: 06/10/2024)
06/12/2024		<u>178</u>	Motion filed by Creditor Lolonyon Akouete with certificate of service for Sanctions for Violation of the Automatic Stay. (ab) (Entered: 06/12/2024)
06/17/2024		<u>179</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>173</u> Objection filed by Trustee Jonathan R. Goldsmith Re: <u>166</u> Motion filed by Creditor Lolonyon Akouete To Abandon Claims. (ab) (Entered: 06/17/2024)
06/19/2024		<u>180</u>	Motion filed by Creditor Lolonyon Akouete for Interim Distribution and Request for Expedited Determination with certificate of service. (ab) (Entered: 06/20/2024)
06/19/2024		<u>181</u>	Motion filed by Creditor Lolonyon Akouete with certificate of service to Shorten Time for Objections and Opposition Re: <u>180</u> Motion for Interim Distribution. (ab) (Entered: 06/20/2024)
06/23/2024		<u>182</u>	Motion filed by Creditor Lolonyon Akouete to Amend Proof of Claim with certificate of service. (ab) (Entered: 06/24/2024)
06/26/2024		<u>183</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (Smerage, Roger) (Entered: 06/26/2024)
06/26/2024		<u>184</u>	

			Opposition with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (Gordon, Stephen) (Entered: 06/26/2024)
06/26/2024		<u>185</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (Goldsmith, Jonathan) (Entered: 06/26/2024)
06/28/2024		<u>186</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>183</u> Opposition filed by Creditor Town of Westborough Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, <u>184</u> Opposition filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, and <u>185</u> Objection filed by Trustee Jonathan R. Goldsmith Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution. (ab) (Entered: 06/28/2024)
06/28/2024		<u>187</u>	Response to Motion for Sanctions for Violation of the Automatic Stay with certificate of service filed by Interested Party Walter A. Horst Re: <u>178</u> Motion filed by Creditor Lolonyon Akouete for Sanctions or Costs with certificate of service. (Miller, Samuel) (Entered: 06/28/2024)
07/07/2024		<u>188</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>187</u> Response filed by Interested Party Walter A. Horst Re: <u>178</u> Motion filed by Creditor Lolonyon Akouete for Sanctions or Costs. (ab) (Entered: 07/08/2024)
07/08/2024		<u>189</u>	Settlement Agreement by Trustee Jonathan R. Goldsmith and Town of Westborough, Ferris Development Group, LLC, Lax Media LLC and Lax Media MA LLC, Nathanson & Goldberg, P.C. and Durgaprasad Nagalla and Venkatesh Mohamraj, Trustees of the MobileStreet Trust filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 07/08/2024)
07/08/2024		<u>190</u>	Motion filed by Trustee Jonathan R. Goldsmith to Approve [Re: <u>189</u> Settlement Agreement]. (Goldsmith, Jonathan) (Entered: 07/08/2024)
07/11/2024		<u>191</u>	Opposition with certificate of service filed by Creditor Lolonyon Akouete Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve [Re: <u>189</u> Settlement Agreement]. (ab) (Entered: 07/11/2024)
07/11/2024		<u>192</u>	Certificate of Service (Re: <u>189</u> Settlement Agreement, <u>190</u> Motion to Approve) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 07/11/2024)
07/11/2024		<u>193</u>	Motion filed by Creditor Lolonyon Akouete to Shorten Time for Objections, Oppositions, and Replies [Re: <u>189</u> Settlement Agreement, <u>190</u> Trustee's Motion to Approve <u>189</u> Settlement Agreement, and <u>191</u> Opposition of Creditor Lolonyon Akouete to <u>190</u> Trustee's Motion to Approve <u>189</u> Settlement Agreement] with certificate of service. (ab) (Entered: 07/12/2024)
07/24/2024		<u>194</u>	Reply in Support with certificate of service filed by Creditor Town of Westborough Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve [Re: <u>189</u> Settlement Agreement]. (Attachments: # <u>1</u> List of Exhibits) (Smerage, Roger) (Entered: 07/24/2024)

07/24/2024		<u>195</u>	Exhibit <i>List of Exhibits</i> (Re: <u>194</u> Reply) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Exhibit 1 – Declaration of Kristi Williams # <u>2</u> Exhibit 2 – Affidavit of Select Board Chair Ian Johnson # <u>3</u> Certificate of Service) (Smerage, Roger) (Entered: 07/24/2024)
07/24/2024		<u>196</u>	Order dated 7/24/2024 Re: <u>193</u> Motion filed by Creditor Lolonyon Akouete to Shorten Time for Objections, Oppositions, and Replies [Re: 189 Settlement Agreement, 190 Trustee's Motion to Approve 189 Settlement Agreement, and 191 Opposition of Creditor Lolonyon Akouete to 190 Trustee's Motion to Approve 189 Settlement Agreement]. DENIED. PURSUANT TO FED. R. BANKR. P. 2002(a)(3), OTHER THAN WITH RESPECT TO AN EXCEPTION THAT IS NOT APPLICABLE TO THE SETTLEMENT AGREEMENT AT ISSUE IN THIS CASE, AT LEAST TWENTY-ONE (21) DAYS NOTICE OF A MOTION TO APPROVE SETTLEMENT IS REQUIRED REGARDING "THE HEARING ON APPROVAL OF A COMPROMISE OR SETTLEMENT OF A CONTROVERSY," ABSENT CAUSE SHOWN. UPON CONSIDERATION OF THE MOTION, ADEQUATE CAUSE HAS NOT BEEN DEMONSTRATED TO SHORTEN NOTICE OF THE HEARING. MR. AKOUEDE'S ASSERTION THAT "[S]HORTENING THE TIME FRAME WILL HELP IN AVOIDING POTENTIAL DELAYS THAT MAY ARISE FROM PROLONGED OBJECTIONS AND RESPONSES, ENSURING A MORE EFFICIENT RESOLUTION PROCESS" IS INSUFFICIENT TO DEMONSTRATE SHORTENED NOTICE IS IN THE BEST INTEREST OF THE ESTATE AND ALL CREDITORS, PARTICULARLY WHERE THE ESTATE FIDUCIARY, THE CHAPTER 7 TRUSTEE, HAS NOT SOUGHT EXPEDITED CONSIDERATION OF THE MOTION TO APPROVE THE SETTLEMENT AGREEMENT. THE MOTION TO APPROVE THE SETTLEMENT WILL BE SCHEDULED IN THE ORDINARY COURSE. (dc) (Entered: 07/24/2024)
07/24/2024		<u>197</u>	DISREGARD. Hybrid Hearing Scheduled on 8/15/2024 at 02:30 PM Either by Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve <u>189</u> Settlement Agreement. Objections due by 8/13/2024 at 11:59 PM. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (lb) CORRECTIVE ENTRY: An Amended Hybrid Hearing Notice Will Enter. Modified on 7/24/2024. (lb). (Entered: 07/24/2024)
07/24/2024		<u>198</u>	DISREGARD. NOTICE OF RESCHEDULED HYBRID HEARING. Hybrid Scheduled on 8/15/2024 at 02:30 PM Either by Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts and <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (lb) CORRECTIVE ENTRY: An Amended Rescheduled Hybrid Hearing Notice Will Enter. Modified on 7/24/2024 (Entered: 07/24/2024)
07/24/2024		<u>199</u>	NOTICE OF AMENDED HEARING NOTICE. Hybrid Hearing Scheduled on 8/20/2024 at 02:00 PM Either by Zoom or In Person at Worcester Courtroom 3 – CJP Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve <u>189</u> Settlement Agreement. Objections due by 8/16/2024 at 11:59 PM. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (lb) (Entered: 07/24/2024)
07/24/2024		<u>200</u>	AMENDED NOTICE OF RESCHEDULED HYBRID STATUS CONFERENCE. Hybrid Status Conference Rescheduled to 8/20/2024 at

			02:00 PM Either by Zoom or In Person at Worcester Courtroom 3 – CJP Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts and <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. PLEASE READ AMENDED NOTICE FOR COMPLETE INSTRUCTIONS. (dr) (Entered: 07/24/2024)
07/25/2024			Hybrid Hearing Rescheduled to 8/20/2024 at 02:00 PM Either by Zoom or In Person at Worcester Courtroom 3 – CJP Re: <u>20</u> Motion for Relief From Stay filed by Creditor Town of Westborough, <u>69</u> Motion to Dismiss Case filed by Creditor Town of Westborough. (lb) (Entered: 07/25/2024)
07/25/2024		<u>201</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay, <u>69</u> Motion to Dismiss Case) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Amended Notice of Rescheduled Status Conference) (Smerage, Roger) (Entered: 07/25/2024)
07/25/2024		<u>202</u>	Order dated 7/25/2024 Re: <u>182</u> Motion filed by Creditor Lolonyon Akouete to Amend Proof of Claim. THE MOTION TO AMEND PROOF OF CLAIM [DKT. NO. 182] (THE "MOTION") IS DENIED AS UNNECESSARY. CLAIM AMENDMENTS ARE NOT GOVERNED BY FED. R. BANKR. P. 7015. MR. AKOUE TE MAY AMEND CLAIM 4–1 FILED ON 12/14/2023 BY FILING AN AMENDED CLAIM ON THE CLAIMS REGISTER, WHICH AMENDED CLAIM SHALL BE SUBJECT TO OBJECTION. THE COURT WILL PLACE THE PROOF OF CLAIM ATTACHED AS EXHIBIT B TO THE MOTION ON THE CLAIMS REGISTER AND IT WILL BE DEEMED FILED AS CLAIM 4–2 AS OF THE DATE MR. AKOUE TE FILED THE MOTION. ANY OTHER RELIEF REQUESTED THROUGH THE MOTION IS DENIED. (Telam, Usbc) (Entered: 07/25/2024)
07/25/2024		<u>203</u>	Certificate of Service of Notice of Hearing (Re: <u>190</u> Motion to Approve) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 07/25/2024)
07/25/2024		<u>204</u>	Order dated 7/25/2024 Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution and Request for Expedited Determination, <u>181</u> Motion filed by Creditor Lolonyon Akouete to Shorten Notice [Re: <u>180</u> Motion for Interim/Supplemental Distribution], REQUEST FOR EXPEDITED DETERMINATION [DKT. NO. 181] OF THE SECOND MOTION FOR INTERIM DISTRIBUTION FILED BY LOLONYON AKOUE TE [DKT. NO. 180] (THE "SECOND MOTION") IS DENIED. UPON CONSIDERATION OF THE SECOND MOTION, THE OBJECTIONS OF THE CHAPTER 7 TRUSTEE [DKT. NO. 185], THE PETITIONING CREDITOR [DKT. NO. 184], AND THE TOWN OF WESTBOROUGH [DKT. NO. 183], THE REPLY OF MR. AKOUE TE [DKT. NO. 186], AND THE RECORD OF THIS CASE, THE SECOND MOTION IS DENIED AS PREMATURE. (Telam, Usbc) (Entered: 07/25/2024)
07/26/2024		<u>205</u>	Notice of Appeal and Statement of Election to Bankruptcy Appellate Panel. Fee Amount \$298 Filed by Creditor Lolonyon Akouete (RE: <u>204</u> Order on Motion for Interim/Supplemental Distribution). Appellant Designation due by 8/9/2024. Compiled Records Due by 8/23/2024. Transmission of Designation Due by 8/26/2024. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>206</u>	Request filed by Creditor Lolonyon Akouete to Waive Appeal Fee . (meh, Usbc) (Entered: 07/26/2024)

07/26/2024		<u>207</u>	Notice of Appeal to Bankruptcy Appellate Panel Re: <u>205</u> Notice of Appeal and Statement of Election filed by Creditor Lolonyon Akouete, Interested Party Lolonyon Akouete. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>208</u>	Initial Transmittal to BAP Re: <u>205</u> Notice of Appeal and Statement of Election filed by Creditor Lolonyon Akouete, Interested Party Lolonyon Akouete. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>209</u>	Statement of Issues Filed by Creditor Lolonyon Akouete RE: <u>205</u> Notice of Appeal and Statement of Election. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>210</u>	Appellant Designation of Contents For Inclusion in Record On Appeal Filed by Creditor Lolonyon Akouete (RE: <u>205</u> Notice of Appeal and Statement of Election). Appellee designation due by 8/9/2024. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>211</u>	Appellant's Brief (Re: <u>205</u> Notice of Appeal and Statement of Election) filed by Creditor Lolonyon Akouete. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>212</u>	Motion filed by Creditor Lolonyon Akouete to Shorten Time for Appellee's Brief [Re: <u>205</u> Notice of Appeal and Statement of Election]. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>213</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>196</u> Order on Motion To Limit/Shorten Notice) Notice Date 07/26/2024. (Admin.) (Entered: 07/27/2024)
07/28/2024		<u>214</u>	Motion filed by Creditor Lolonyon Akouete To Allow Claim with certificate of service. (ab) (Entered: 07/29/2024)
07/29/2024		<u>215</u>	<i>Statement of Ferris Development Group, LLC in Support of Motion of Chapter 7 Trustee for Approval of Settlement Agreement</i> with certificate of service (Re: <u>190</u> Motion to Approve) filed by Creditor Ferris Development Group, LLC (Attachments: # <u>1</u> Affidavit, Declaration re: Electronic Filing) (Carey, Paul) (Entered: 07/29/2024)
07/31/2024			Notice of Docketing Record on Appeal to BAP Case Number 24–0016 Re: <u>205</u> Notice of Appeal and Statement of Election filed by Creditor Lolonyon Akouete, Interested Party Lolonyon Akouete. (sl) (Entered: 07/31/2024)
08/02/2024		<u>216</u>	Order dated 8/2/2024 Re: <u>178</u> Motion filed by Creditor Lolonyon Akouete for Sanctions for Violation of the Automatic Stay. DENIED. See Order for Full Text. (ab) (Entered: 08/02/2024)
08/04/2024		<u>217</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>216</u> Order on Motion For Sanctions/Costs) Notice Date 08/04/2024. (Admin.) (Entered: 08/05/2024)
08/04/2024		<u>218</u>	Motion filed by Creditor Lolonyon Akouete with certificate of service to Reconsider <u>115</u> Order dated 3/19/2024 Re: <u>110</u> Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim, and Reconsider <u>216</u> Order dated 8/2/2024 Re: <u>178</u> Motion filed by Creditor Lolonyon Akouete for Sanctions for Violation of the Automatic Stay. (ab) (Entered: 08/05/2024)
08/06/2024		<u>219</u>	Motion filed by Creditor Lolonyon Akouete to Compel Trustee to Obtain Appraisal of Property Located at 231 Turnpike Road, Westborough, MA

			before August 20, 2024 Hearing with certificate of service. (ab) (Entered: 08/06/2024)
08/06/2024		<u>220</u>	Order dated 8/6/2024 Re: <u>212</u> Motion filed by Creditor Lolonyon Akouete to Shorten Time for Appellee's Brief [Re: <u>205</u> Notice of Appeal and Statement of Election]. S MR. AKOUE TE APPEARS TO BE SEEKING TO SHORTEN THE DEADLINE FOR AN APPELLEE BRIEF TO BE FILED AND THIS COURT DOES NOT ADDRESS BRIEFING SCHEDULES WITH RESPECT TO APPEALS, THE MOTION IS DENIED. TO THE EXTENT MR. AKOUE TE INTENDED TO SEEK TO SHORTEN THE APPELLEES DEADLINE TO FILE A DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN THE RECORD UNDER FED. R. BANKR. P. 8009, INSUFFICIENT CAUSE IS STATED AND THE COURT DENIES SUCH REQUEST. (ab) (Entered: 08/06/2024)
08/06/2024		<u>221</u>	Order dated 8/6/2024 Re: <u>218</u> Motion filed by Creditor Lolonyon Akouete to Reconsider 115 Order dated 3/19/2024 Re: <u>110</u> Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim, and Reconsider <u>216</u> Order dated 8/2/2024 Re: <u>178</u> Motion filed by Creditor Lolonyon Akouete for Sanctions for Violation of the Automatic Stay. DENIED. See Order for Full Text. (ab) (Entered: 08/06/2024)
08/07/2024		<u>222</u>	Order dated 8/7/2024 Re: <u>219</u> Motion filed by Creditor Lolonyon Akouete to Compel Trustee to Obtain Appraisal of Property Located at 231 Turnpike Road, Westborough, MA before August 20, 2024. DENIED. MR. AKOUE TE MAY RAISE VALUATION ISSUES IN THE CONTEXT OF AN OBJECTION TO THE MOTION OF CHAPTER 7 TRUSTEE FOR APPROVAL OF SETTLEMENT AGREEMENT. TO THE EXTENT MR. AKOUE TE WANTS TO CONDUCT HIS OWN APPRAISAL AND REQUIRES ACCESS TO THE PROPERTY, HE SHOULD CONTACT THE CHAPTER 7 TRUSTEE TO COORDINATE ACCESS. (ab) (Entered: 08/07/2024)
08/08/2024		<u>223</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>214</u> Motion filed by Creditor Lolonyon Akouete To Allow Claim with certificate of service. (Smerage, Roger) (Entered: 08/08/2024)
08/08/2024		<u>224</u>	Appellee Designation of Contents for Inclusion in Record of Appeal Filed by Creditor Town of Westborough (RE: <u>205</u> Notice of Appeal and Statement of Election). (Smerage, Roger) (Entered: 08/08/2024)
08/08/2024		<u>225</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>220</u> Order on Motion To Limit/Shorten Notice) Notice Date 08/08/2024. (Admin.) (Entered: 08/09/2024)
08/08/2024		<u>226</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>221</u> Order on Motion To Reconsider) Notice Date 08/08/2024. (Admin.) (Entered: 08/09/2024)

3. Matthew A. Morris Sherin and Lodgen LLP: \$20,000.00
4. Lolonyon Akouete: \$250,000.00
5. Denise Edwards: \$150,000.00
6. The MobileStreet Trust: \$367,131.00
7. Nathanson & Goldberg, P.C.: \$101,692.83

Total: \$908,823.83

The bankruptcy estate will still have \$384,823.00 to cover Trustee Compensation and administrative expenses.


Conclusion:

Interim distributions in this case are necessary to address the critical financial obligations of the Debtor and to provide some relief to creditors. The funds currently available in the estate, along with the potential for further recovery, justify the proposed interim distribution plan.

WHEREFORE, I respectfully request that this Honorable Court enter an order granting the Motion for Interim Distribution as set forth herein and for such other and further relief as the Court deems just and proper.

DATED: February 11, 2024, Respectfully submitted:

By creditor,



Lolonyon Akouete
800 Red Milles Rd
Wallkill NY 12589
info@smartinvestorsllc.com
(443) 447-3276

CERTIFICATE OF SERVICE

I, Lolonyon Akouete, a creditor, hereby certify that the above document is served by email and mailing a copy of the same, first-class mail, to the following:

Stephen F. Gordon, Attorney of the Petitioners
(Email: sgordon@gordonfirm.com)
The Gordon Law Firm LLP
River Place 57 River Street Wellesley, MA 02481

Scott A. Schlager on behalf of,
Nathanson & Goldberg, P.C., a creditor.
(Email: sas@natgolaw.com)
183 State Street, 5th Floor Boston, MA 02109

Assistant U.S. Trustee
Richard King
Office of US. Trustee
446 Main Street 14th Floor
Worcester, MA 01608
USTPRegion01.WO.ECF@USDOJ.GOV

Jonathan R. Goldsmith
Chapter 7 Trustee
trusteedocs1@gkalawfirm.com
Goldsmith, Katz & Argenio P.C.
1350 Main Street, 15th Floor.
Springfield, MA 01103

Paul W. Carey, Attorney of Creditor
FERRIS DEVELOPMENT GROUP, LLC
(Email: pcarey@mirickoconnell.com)
Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street, Worcester, MA 01608

Brian W. Riley, Attorney of Creditor
Jeffrey T. Blake, Attorney of Creditor
Roger L. Smerage, Attorney of Creditor
TOWN OF WESTBOROUGH
(Email: briley@k-plaw.com)
(Email: jblake@k-plaw.com)
(Email: rsmerage@k-plaw.com)
KP Law, P.C. 101 Arch Street,
12th Floor Boston, MA 02110

Gary M Ronan
David M Abromowitz
Goulston&storrs
GRonan@goulstonstorrs.com
DAbromowitz@goulstonstorrs.com
400 Atlantic Avenue
Boston, MA 02110



Lolonyon Y Akouete

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

WORCESTER, ss.

In re:

WESTBOROUGH SPE LLC,

Debtor.

)
)
)
)
)
)
)

Chapter 7

Case No. 23-40709-CJP

REQUEST FOR EXPEDITED DETERMINATION - SUPPLEMENT TO MOTION
FOR INTERIM DISTRIBUTION Doc.#92

Introduction:

I, Lolonyon Akouete, a creditor and manager of the debtor in the above-captioned bankruptcy case, submit this supplement to the Motion for Interim Distribution. This supplement aims to highlight pertinent issues that necessitate immediate attention from this Honorable Court.

Debtor's Urgent Need for Legal Representation:

1. The current circumstances of the debtor, Westborough SPE LLC, demand immediate legal assistance. The debtor's manager requires \$20,000 to retain legal counsel for converting the Chapter 7 bankruptcy into Chapter 11. This conversion is crucial for the debtor's ability to navigate its financial situation effectively.
2. I assert that the proposed settlement agreement under consideration by the trustee and the Towns involved in the case may not serve the best interests of the debtor. This raises concerns about the fairness and adequacy of the proposed resolution for all parties involved.

Concerns Regarding Pro Se Representation:

3. It is essential to acknowledge the inherent disadvantages faced by pro se litigants in bankruptcy proceedings. Pro se parties often lack the necessary legal expertise and resources to effectively advocate for their interests.
4. Furthermore, the potential bias or undue influence stemming from the friendly relationship between the Town counsel and the trustee raises serious concerns about the fairness of the proceedings, particularly for the pro se litigant.

Legal Complexity and Constitutional Considerations:

5. This case involves novel legal and constitutional issues, highlighting the importance of a thorough and fair adjudication process. The resolution of such matters holds significant implications for the development and interpretation of tax foreclosure laws.
6. Privatizing the resolution of the case through settlement may impede the proper vindication of important legal rights, particularly in cases involving constitutional or statutory claims. Federal courts play a crucial role in issuing rulings that clarify and apply the law, especially in matters of constitutional significance.

Reaffirmation of Debtor's Absolute Right to Convert:

7. Section 706(a) of the Bankruptcy Code unequivocally grants debtors the absolute right to convert their case from Chapter 7 to Chapter 11 at any time. This statutory provision reflects Congress's intent to afford debtors the opportunity to address their financial obligations through alternative means.
8. Courts have consistently interpreted this right broadly, emphasizing that the court's role in such conversions is essentially ministerial. The legislative history further underscores Congress's intention to encourage debtors to explore avenues for debt repayment.

Preservation of Assets and Petition for Conversion to Chapter 11:

9. The debtor's circumstances have evolved during the Chapter 7 proceedings, prompting a reassessment of the most advantageous path forward. It has become apparent that reorganization under Chapter 11 would offer greater benefits or feasibility for the debtor's financial rehabilitation. Therefore, the debtor intends to petition the court for conversion to Chapter 11.
10. Given the current state of the bankruptcy estate, with \$1,293,646.83 on deposit and the potential for further funds from the property at 231 Turnpike Rd Westborough, MA 01581, the debtor seeks to preserve these assets. Reorganizing under Chapter 11 would allow the debtor to retain assets that might otherwise be subject to liquidation in Chapter 7 proceedings.

Conclusion:

The urgency of the debtor's situation cannot be overstated. Immediate access to funds is imperative to retain legal representation and pursue the necessary conversion of the case from Chapter 7 to Chapter 11. Without the requested interim distribution, the debtor would face significant obstacles in securing the legal counsel essential for navigating the complexities of bankruptcy reorganization.

Furthermore, the potential consequences of delaying the conversion process are substantial. The preservation of assets and the maximization of the bankruptcy estate's value hinge upon prompt action. Therefore, the interim distribution sought in the Motion for Interim Distribution is not only justified but essential for the debtor's ability to effectively address its financial obligations and pursue a favorable outcome.

In light of these pressing considerations, I respectfully urge this Honorable Court to grant the Motion for Interim Distribution as outlined herein. Doing so will not only provide critical assistance to the debtor but also serve the interests of all creditors involved, ensuring a fair and equitable resolution in accordance with the principles of bankruptcy law.

DATED: February 13, 2024, Respectfully submitted: By creditor,



Lolonyon Akouete
800 Red Milles Rd
Wallkill NY 12589
info@smartinvestorsllc.com
(443) 447-3276

Exhibit 1

Settlement proposal from Jonathan Goldsmith and Scott A. Schlager



Lolonyon Akouete <info@smartinvestorsllc.com>

In re Westborough SPE LLC - FOR SETTLEMENT PURPOSES ONLY

Scott A. Schlager <sas@natgolaw.com>
To: "jgoldsmith@gkalawfirm.com" <jgoldsmith@gkalawfirm.com>
Cc: "sgordon@gordonfirm.com" <sgordon@gordonfirm.com>, Lolonyon Akouete <info@smartinvestorsllc.com>, "deniseedwards818@yahoo.com" <deniseedwards818@yahoo.com>, "Lenard B. Zide" <zide@butfersbrazilian.com>

Thu, Feb 8, 2024 at 5:44 PM

FOR SETTLEMENT PURPOSES ONLY

Jonathan,

Thank you for taking the time to speak with me this afternoon. Per your suggestion, and after speaking with Lolo, Denise, and Attorney Zide, I am putting the following Settlement Proposal in writing per our discussion.

1. The Trustee is in receipt of the unclaimed funds from California which approximate \$1,293,000.
2. The Trustee would use his best efforts to try and get all creditors paid within approximately 90 days +/- (see caveats below *)
3. The Trustee shall use those CA funds to pay off the creditor claims as follows:
 - a. Denise Edwards - \$150,000.00 at time of creditor distributions
 - b. Lolonyon Akouete:
 - i. \$250,000.00 at time of creditor distributions
 - ii. Remaining proceeds after payment of all creditors estimated to be approximately \$150-200k +/- paid to Lolo.
 - iii. Lolo would have a right to hire a new lawyer and pursue a claim in an "interpleader" action for the excess sale proceeds from the Real Property sale at 231 Turnpike Road, Westborough, MA turned over by the Town of Westborough at the Closing by the Escrow Agent.
 - c. Nathanson & Goldberg, P.C. would be paid its to be filed revised Proof of Claim amount approximately \$115k at time of creditor distributions.
 - d. Mobile Street Trust to be paid its original proof of claim amount of roughly \$367,131.
 - i. Mobile Trust to have Town agree to a lien in the amount of \$166,500 being placed on 231 Turnpike Road for additional amounts owed under the Reciprocal Easement Agreement to be paid at time of closing of the sale of the real property. If Town would not agree, then Mobile Trust to have a priority lien on sale proceeds in the "interpleader" action.

- e. Darren Clagg to be paid his claim amount
- f. All Other creditors to be paid their claim amount
- 3. Lolo to not object to Trustees payment of creditors.
- 4. Lolo to not object to Trustee allowing Town to sell property to their buyer of choice.
- 5. Land Court case will be dismissed by stipulation of the Trustee and the Town.
- 6. Federal Case will be dismissed by stipulation of the Trustee and the Town.
- 7. David Ferris to get paid his claim of \$10k plus up to \$90k for due diligence costs, etc. (to be paid either by the Town out of the real property sale proceeds or by the Bankruptcy Estate or split). Bankruptcy Trustee to speak with Counsel for Ferris shortly.
- 8. *All subject to approval by the US Trustee and Judge Panos/Bankruptcy Court; the parties signing necessary settlement documents/stipulations to be drafted by Trustee

Does this reflect what you propose?

Thank you so much for your assistance.

-Scott

Scott A. Schlager

Partner

Nathanson & Goldberg, P.C.

183 State Street, 5th Floor

Boston, Massachusetts 02109

(O): (617) 210-4800

(C): (617) 909-4511

(F): (617) 210-4824

sas@natgolaw.com

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Exhibit 2

Email Correspondence Regarding Mediation Screening
Conference - Case No. 19 TL 000768 Town of
Westborough v. Westborough SPE, LLC, et al.



Lolonyon Akouete <info@smartinvestorsllc.com>

19 TL 000768 Town of Westborough SPE, LLC , et al. - Request For Mediation Screening Conference

2 messages

Scott A. Schlager <sas@natgolaw.com>

To: "emily.rosa@jud.state.ma.us" <emily.rosa@jud.state.ma.us>

Cc: Iris Leahy <AttyLeahy@outlook.com>, "eenglander@ec-attorneys.com" <eenglander@ec-attorneys.com>, Alvin Nathanson <asn@natgolaw.com>

Fri, Jul 21, 2023 at 1:22 PM

Good Afternoon Clerk Rosa,

The Land Court has a screening session for Alternative Dispute Resolution. Pursuant to Land Court Standing Order 1-04, through which the court adopted its individual calendar system and time standards, the judge assigned to each case must conduct an "Early Intervention Event" as defined by SIC Uniform Rules on Dispute Resolution not later than at the Case Management Conference, held within 90 days of the filing of the complaint.

Since this Early Intervention Event was not held, we would respectfully request that the Court conduct a mandatory screening session for ADR forthwith.

Please advise at your earliest convenience as our Client is ready, willing, and able to entertain ADR and feel as though such a session may serve the purposes of judicial efficiency.

Thank you,

Scott A. Schlager, Esq.

Partner

Nathanson & Goldberg, P.C.

183 State Street, 5th Floor

Boston, Massachusetts 02109

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Sent from my iPhone

Scott A. Schlager <sas@natgolaw.com>

Mon, Jul 24, 2023 at 1:41 PM

To: Lolonyon Akouete <info@smartinvestorsllc.com>, "deniseedwards818@yahoo.com" <deniseedwards818@yahoo.com>

Scott A. Schlager, Esq.
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Sent from my iPhone

Begin forwarded message:

From: Iris Leahy <AttyLeahy@outlook.com>
Date: July 24, 2023 at 1:36:58 PM EDT
To: emily.rosa@jud.state.ma.us
Cc: eenglander@ec-attorneys.com, Alvin Nathanson <asn@natgolaw.com>, "Scott A. Schlager" <sas@natgolaw.com>
Subject: RE: 19 TL 000768 Town of Westborough v. Westborough SPE, LLC , et al. - Request For Mediation Screening Conference

Hello Clerk Rosa,

On behalf of the Plaintiff, please accept this response to Attorney Schlager's below email regarding a request for a mediation screening in 19 TL 000768.

The Plaintiff does not believe that this case would benefit from mediation as there are unsettled matters of fact that the Town believes once reviewed by this

Court, will prove the Defendant does not have the to redeem.

This case is before this Court for a Pre-trial Conference but as I understood the Honorable Judge Speicher's instructions at the last hearing, this is in preparation for an evidentiary hearing at which the Motion to Vacate is to be decided. I am working diligently to prepare the first draft of the Joint Pre-trial Memorandum to provide to the counsel for the Defendant as soon as possible.

This case is not on a standard track and rather than continue to delay this case and unnecessarily increase the legal fees, the Plaintiff requests this case move forward as ordered by Judge Speicher.

Thank you,

Iris A. Leahy, Esq.

Law Office of Iris A. Leahy
4 Open Square Way, Suite 217
Holyoke, MA 01040
Phone: (413)322-8318
Fax: (413)322-8661
atty@leahy@outlook.com

[Quoted text hidden]

Exhibit 3

Email Correspondence Regarding Motion Response and
Mediation Request - Case No. 19 TL 000768 Town of
Westborough v. Westborough SPE, LLC, et al.



Lolonyon Akouete <info@smartinvestorsllc.com>

19 TL 000768 Town of Westborough v. Westborough SPE, LLC , et al.

Iris Leahy <AttyLeahy@outlook.com>

Fri, Jan 20, 2023 at 9:32 AM

To: Lolonyon Akouete <info@smartinvestorsllc.com>

Hello Mr. Akouete,

Thank you for your below email. I am working diligently to provide you with a response to your Motion to Vacate. I hope to have it completed next week. I will provide it to you as soon as I can.

In regard to your request for mediation, the town is still opposed to the vacation of the judgment and has not changed its position.

Thank you,

Iris A. Leahy, Esq.

Law Office of Iris A. Leahy

4 Open Square Way, Suite 217

Holyoke, MA 01040

Phone: (413)322-8318

Fax: (413)322-8661

attyleahy@outlook.com

From: Lolonyon Akouete <info@smartinvestorsllc.com>

Sent: Wednesday, January 18, 2023 9:44 AM

To: Iris Leahy <AttyLeahy@outlook.com>

Subject: Re: 19 TL 000768 Town of Westborough v. Westborough SPE, LLC , et al.

Good morning Ms. Leahy,

When can we expect to see your response to the motion?

We plan to appeal the judgment and refile the Lis Pendens if we do not receive a favorable outcome on the February 9th hearing.

It will create a lot of attorney fees, and we may not be responsible for that if all of this is caused by the town prematurely awarding the bid to Lax Media before the expiration of the redemption period.

Is the town willing to try Mediation? It may save both of us time and money.

I was also thinking about our right to redeem the property if it is still in question. It must be addressed under the

CERTIFICATE OF SERVICE

I, Lolonyon Akouete, a creditor, hereby certify that the above document is served by email and mailing a copy of the same, first-class mail, to the following:

Stephen F. Gordon, Attorney of the Petitioners
(Email: sgordon@gordonfirm.com)
The Gordon Law Firm LLP
River Place 57 River Street Wellesley, MA 02481

Scott A. Schlager on behalf of,
Nathanson & Goldberg, P.C., a creditor.
(Email: sas@natgolaw.com)
183 State Street, 5th Floor Boston, MA 02109

Assistant U.S. Trustee
Richard King
Office of US. Trustee
446 Main Street 14th Floor
Worcester, MA 01608
USTPRegion01.WO.ECF@USDOJ.GOV

Jonathan R. Goldsmith
Chapter 7 Trustee
trusteedocs1@gkalawfirm.com
Goldsmith, Katz & Argenio P.C.
1350 Main Street, 15th Floor.
Springfield, MA 01103

Paul W. Carey, Attorney of Creditor
FERRIS DEVELOPMENT GROUP, LLC
(Email: pcarey@mirickoconnell.com)
Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street, Worcester, MA 01608

Brian W. Riley, Attorney of Creditor
Jeffrey T. Blake, Attorney of Creditor
Roger L. Smerage, Attorney of Creditor
TOWN OF WESTBOROUGH
(Email: briley@k-plaw.com)
(Email: jblake@k-plaw.com)
(Email: rsmerage@k-plaw.com)
KP Law, P.C. 101 Arch Street,
12th Floor Boston, MA 02110

Gary M Ronan
David M Abromowitz
Goulston&storrs
GRonan@goulstonstorrs.com
DAbromowitz@goulstonstorrs.com
400 Atlantic Avenue
Boston, MA 02110



Lolonyon Y Akouete

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

Case No. 23-40709-CJP

Chapter 7

In re:

WESTBOROUGH SPE LLC

TOWN OF WESTBOROUGH'S
OPPOSITION TO LOLONYON
AKOUETE'S MOTIONS FOR
INTERIM DISBURSEMENT

The Town of Westborough ("Town"), listed in the Debtor's Matrix List of Creditors (Doc. No. 7) in the above-captioned action, hereby opposes the Motion for Interim Distribution (Doc. No. 92) and Request for Expedited Determination – Supplement to Motion for Interim Distribution (Doc. No. 99) filed by Lolonyon Akouete. The Court should deny Mr. Akouete's motions for several reasons:

First, Mr. Akouete improperly filed the motions as both a purported creditor and a purported manager of the Debtor. As an initial matter, Mr. Akouete cannot file anything on behalf of the Debtor, Westborough SPE, LLC, because he is not an attorney. Dickey v. Inspectional Servs. Dep't of Boston, 482 Mass. 1003, 1004 (2019). Beyond this defect, Mr. Akouete lacks authority to act as a manager of Westborough SPE, LLC (the "LLC") for all the reasons set forth in the Town's pending Motion to Dismiss Bankruptcy Case (Doc. No. 69). Indeed, the issues concerning Mr. Akouete's authority to control the LLC are so significant that they warrant dismissal of this bankruptcy proceeding altogether. His repeated attempts to play both a creditor of the LLC and a manager of the LLC should be rejected. By no means should Mr. Akouete be allowed to access the LLC's assets or dictate the Debtor's actions in this bankruptcy proceeding if it proceeds.

Second, Mr. Akouete's motions are intended to interfere with the Town's disposition of the real property located at 231 Turnpike Road, Westborough, Massachusetts (the "Property"). The Property was once owned by the LLC, but title to the Property vested in the Town pursuant to a pre-petition tax title foreclosure judgment. The Town's sole interest in this proceeding relates to the Property, which the Town was prepared to sell to satisfy the outstanding real estate tax obligations under G.L. c. 60 until Mr. Akouete moved to vacate the tax title foreclosure judgment (purportedly on behalf of the Debtor) and, eventually, this bankruptcy proceeding was commenced. Mr. Akouete's on-going motion practice continues to hinder the Town's disposition of the Property, as it impedes resolution of the question of whether the Property is an asset of the bankruptcy estate either by Court order on the Town's motions or by settlement between the Town and the Chapter 7 Trustee.¹ Indeed, to the extent that the Debtor has any rights concerning the Property itself (as opposed to any surplus proceeds of a sale of the Property by the Town), be they through the motion to vacate the tax title foreclosure judgment or a potential claim to avoid the tax title foreclosure judgment pursuant to 11 U.S.C. § 548, those rights are under the Chapter 7 Trustee's control, not Mr. Akouete's. To the extent that the Chapter 7 Trustee needs to retain additional legal counsel to protect the Debtor's rights (as opposed to Mr. Akouete's desire to get paid), the Chapter 7 Trustee is authorized to do so. See 11 U.S.C. § 327. Interim distribution to Mr. Akouete is completely unnecessary to protect the Debtor's rights.

¹ As discussed at length in the Town's Motion for Relief from Automatic Stay, where the LLC's right to redeem the Property expired on January 5, 2022, but this bankruptcy was not commenced until August 31, 2023, the Property is not a part of the bankruptcy estate because the Debtor has no legal or equitable interest in it. See 11 U.S.C. § 541(a)(1) (the "estate is comprised of ... all legal or equitable interests of the debtor in property as of the commencement of the case"); see also Tallage Lincoln, LLC v. Williams, 485 Mass. 449, 451-453 (2020) (entry of tax title foreclosure judgment "extinguishes the taxpayer's remaining interest in the property—the right of redemption—and converts the municipality's ... tax title into absolute title ... free and clear of all encumbrances, including mortgages and other liens").

Third, Mr. Akouete appears to be asking other parties to this proceeding to finance his own legal expenses. Although the Town has no interest in the distribution of the bankruptcy estate's assets so long as the Property remains outside of the estate, Mr. Akouete's motions essentially request that the Court to authorize the estate (and thus the Debtor's creditors) to pay for Mr. Akouete to retain a lawyer for his own benefit, to explore ways that he can get money out of the estate when he has not established that he is entitled to such money, either as a creditor or as a "manager" of the Debtor. Critically, the Debtor's own counsel in the Land Court tax title proceedings has opposed Mr. Akouete's motions. See Doc. No. 109. And, as it relates to the Town, if there is no settlement between the Town and the Debtor, the Debtor's estate will require sufficient cash to pay the outstanding tax obligations to the Town under G.L. c. 60 in the unlikely event that the Debtor's right of redemption is revived, and the Property is pulled into the bankruptcy estate, either through the motion to vacate the tax title foreclosure judgment or an avoidance of that judgment pursuant to 11 U.S.C. § 548.

In summary, Mr. Akouete's motions achieve no benefit for the bankruptcy estate. Rather, assuming that this bankruptcy proceeding is not dismissed in its entirety for the reasons set forth in the Town's motion to dismiss, the estate is best served by allowing the Chapter 7 Trustee to continue administering the estate, including negotiating a settlement of the Debtor's disputes with the Town, and then paying the Debtor's valid creditors in the ordinary course under the Bankruptcy Code. If Mr. Akouete can prove he is such a creditor and is entitled to a portion of the estate as a result, then he can get paid accordingly. But he should not get to dictate the terms of this bankruptcy to the prejudice of the Town or the Debtor's valid creditors. Notably, Mr. Akouete consented to the involuntary initiation of this Chapter 7 proceeding and even asked the Court to expedite the appointment of a Chapter 7 trustee. See Doc. Nos. 5, 10. He should not be allowed

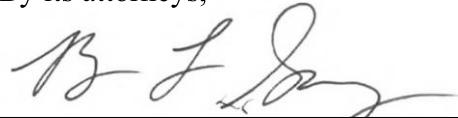
to reverse course now that he realizes that the Chapter 7 Trustee is acting in the best interests of the Debtor, rather than Mr. Akouete himself personally.

For the foregoing reasons, the Court should deny Mr. Akouete's pending motions.

Respectfully submitted,

TOWN OF WESTBOROUGH,

By its attorneys,



Brian W. Riley (BBO# 555385)
Jeffrey T. Blake (BBO# 655773)
Roger L. Smerage (BBO# 675388)
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Town Counsel
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jblake@k-plaw.com
rsmerage@k-plaw.com

Dated: February 29, 2024

906789/WBOR/0049

CERTIFICATE OF SERVICE

I, Roger L. Smerage, hereby certify that on the below date, I caused a copy of the foregoing Opposition to be served through the Court's CM/ECF system to the following counsel of record or by U.S. mail to the following unregistered parties:

Stephen F. Gordon
The Gordon Law Firm LLP
River Place
57 River Street
Wellesley, MA 02481
sgordon@gordonfirm.com
*Attorney for Petitioning
Creditors*

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c/o Lolonyon Akouete
1241 Deer Park Ave., Suite 1,
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North Babylon, NY 11703
Debtor (by U.S. mail)

Darin Clagg
24 Kobbs Korner Rd.
Pine Bush, NY 12566
Creditor (by U.S. Mail)

Denise Edwards
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m
Creditor (by email)

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Attorney for the U.S. Trustee

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*Attorney for Creditor Ferris
Development Group, LLC*

Lolonyon Akouete
800 Red Milles Rd.
Wallkill, NY 12589
info@smartinvestorsllc.com
Creditor (by email)

Dated: February 29, 2024



Roger L. Smerage



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Westborough SPE LLC

Debtor

Chapter 7
23-40709-CJP

ORDER

MATTER:

#92 Motion by Lolonyon Akouete for Interim Distribution and
#99 Request by Lolonyon Akouete for Expedited Determination.

REQUEST FOR EXPEDITED DETERMINATION [DKT. NO. 99] OF THE MOTION FOR INTERIM DISTRIBUTION FILED BY LOLONYON AKOUE TE [DKT. NO. 92] (THE "INTERIM DISTRIBUTION MOTION") IS DENIED. UPON CONSIDERATION OF THE INTERIM DISTRIBUTION MOTION, THE OBJECTIONS OF THE CHAPTER 7 TRUSTEE [DKT. NO. 107], THE PETITIONING CREDITORS [DKT. NO. 109], AND THE TOWN OF WESTBOROUGH [DKT. NO. 113], AND THE REPLIES OF MR. AKOUE TE [DKT. NOS. 108 AND 112], THE INTERIM DISTRIBUTION MOTION IS DENIED AS PREMATURE.

Dated: 03/19/2024

By the Court,

A handwritten signature in black ink, reading "Christopher J. Panos", is written over a horizontal line.

Christopher J. Panos
United States Bankruptcy Judge